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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DONNA GARCIA,	)	Case No.: CV11-01253
	)	
Plaintiff,	)	<b>RESPONSE TO EX PARTE</b>
	)	
vs.	)	
	)	
RESURGENT CAPITAL SERVICES, L.P.,	)	
LVNV FUNDING, LLC, THE BRACHFELD	)	
LAW GROUP, P.C. a.k.a BRACHFELD &	)	
ASSOCIATES, P.C., and DOES 1-10,	)	
	)	
Defendant	)	
	)	
	)	

On March 26, 2012 this Court ordered the parties to meet and confer by 4/13/12 regarding the preparation and exchange of pre-trial materials. The parties did not address this deadline. In the past week the parties have circulated all pre-trial documents (except a proposed verdict, though the undersigned emailed Plaintiffs' counsel about that this morning) with comments to meet the filing

**RESPONSE TO EX PARTE**

1 deadline of tomorrow. Paragraph B7 of the order refers to an in-person meet and  
2 confer prior to April 13, 2012 to discuss exhibits, but Brachfeld has none.

3 As of this morning it appeared all pre-trial documents were completed and  
4 ready for final assembly and filing tomorrow, so the nature of the relief sought by  
5 this motion is unclear. By Plaintiffs own admission, they did not even seek to  
6 comply with the Court ordered meet and confer until 11 days after it was ordered  
7 to have taken place, but counsel for Brachfeld remains available to discuss any  
8 outstanding issues to complete the joint submission due tomorrow and has emailed  
9 Plaintiffs counsel comments and additions as required.

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11 Date: April 24, 2012

Respectfully Submitted,

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13 By: /s/ Jonathan W. Birdt  
14 Jonathan W. Birdt, Esq. (SBN. 183908)

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**RESPONSE TO EX PARTE**